

# Kansas Watershed Restoration and Protection Strategy

## Watershed Plan Deviation & Revision Guidance

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The purpose of a watershed plan is to provide a framework for effective implementation of best management practices (BMPs) to achieve water quality goals. For a myriad of reasons, actual implementation may deviate from this framework or revision of the plan may be warranted. This document is intended to serve as guidance for KDHE and KS WRAPS Projects when deviation from the watershed plan or revision of the plan is deemed necessary. Limited assistance may be available from KDHE to assist WRAPS projects with providing some of the required documentation. This should be negotiated with the applicable KDHE Project Officer.

Guidance is defined for each of the following three categories:

### Category 1: Deviation from an Approved Project Implementation Plan (PIP)

This may include requests to install a BMP that is located outside of a project targeted area or is a different type of BMP than identified in the watershed plan and corresponding PIP. No plan revision is necessary for this type of deviation. Justification for this request should be prepared by the WRAPS Project, and sent to the KDHE Project Officer for review and approval prior to executing a landowner agreement. Justification can be provided by email and should address the following criteria, which will be considered by the KDHE PO:

- The applicability of the BMP project relative to the impairment objectives stated in the plan (the project results in the same 'end')
- The cost of the BMP project
- BMP efficiency Credible rationale explaining the need
- Load reductions may be required at the time of the deviation request by the KDHE Project Officer, and may be calculated by KDHE (Load reductions for all projects will be calculated by KDHE at the end of each project regardless of plan deviations)
- To insure the integrity of plans are adhered to, a limitation on the number of deviation requests may be developed in the future

The KDHE Project Officer will review and approve deviations to the PIP.

### Category 2: Watershed Plan Amendment

Requests may be made to KDHE to expand the BMP types and/or alter the subwatershed target area(s) identified in the watershed plan. A plan amendment would be required as an appendix to the document. The amendment must explain the reasoning behind the request and be accompanied by credible rationale - i.e. adoptability of BMPs, cost vs. load reduction benefit, watershed needs, additional subwatershed assessment information, etc. The amendment must include revised plan materials such as BMP tables (BMP implementation schedule, BMP costs, Financial / Technical Assistance) and/or a revised targeted watershed map. It is recommended that the KDHE Project Officer and the WRAPS Project meet to identify the scope of work related to the amendment and to delegate assignments and respective deadlines. KDHE may be available to offer limited assistance in developing

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such materials, but the assumption should be that work associated with an amendment will be the responsibility of the project.

A Plan Amendment should be submitted to the KDHE Project Officer. Upon Project Officer preliminary approval, amendments will be submitted to the Program Manager for review and approval. Upon Program Manager Concurrence, the plan will be amended and inserted as an appendix to the approved document.

### Category 3: Watershed Plan Revision

Requests may be made to KDHE to add or remove a TMDL goal or an identified High Priority water body. A plan revision is necessary and should involve a consultative meeting with the WRAPS Project Coordinator, the KDHE Project Officer and a representative from the KDHE Watershed Planning Section to explain the rationale for the revision. Upon approval, the KDHE Project Officer and the WRAPS Project should meet to identify the scope of work related to the revision and to delegate assignments and respective deadlines. Multiple sections of the approved plan will likely need to be revised and updated. KDHE may be available to offer limited assistance in developing such materials, but the assumption should be that the bulk of the work will be the responsibility of the project.

Upon completion of a draft revision, the entire revised plan should be submitted to the KDHE Project Officer for review. Upon KDHE Project Officer preliminary approval the draft revision will be submitted to the WRAPS Program Manager/Section Chief, KS WRAPS Work Group and EPA for review. The review period will be 3 weeks.

